

04-24-08

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number

10/781,340

Filing Date

February 17, 2004

First Named Inventor

Neil S. Cutshall

Art Unit

1625

Examiner Name

Rita J. Desai

Attorney Docket Number

60117-106

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☒ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

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Davis Wright Tremaine LLP

Signature

Printed Name

Melanie K. Kitzen Haindfield

Date

April 22, 2008

Reg.
No.

57,397

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Neil S. Cutshall
Application No. : 10/781,340
Filed : February 17, 2004
For : Pharmaceutical Uses and Synthesis of Nicotinanilide-N-Oxides

Examiner : Rita J. Desai
Art Unit : 1625
Docket No. : 60117-106
Date : April 22, 2008

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (CFR 1.121)

INTRODUCTORY COMMENTS

Commissioner for Patents:

This Amendment is in response to the Notice of Non-Compliant Amendment dated April 16, 2008. Claim 46 has been amended to include the status identifier.

In response to the Office Action dated September 6, 2007, please amend the application as shown on the attached pages.

Reconsideration of the above-identified application is respectfully requested in view of the amendments and remarks set forth herein. Claims 1-46 are pending. Claims 1-30 and 43-44 stand presently withdrawn. Claim 31 has been amended for clarification. New claims 45 and 46 have been added. Support for the amendments and new claims can be found throughout the instant application as filed, including the original claims. No new matter has been added.